

Message Text

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PAGE 01 ANKARA 05214 181027Z
ACTION EUR-12

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TO SECSTATE WASHDC 2649
INFO AMCONSUL ADANA POUCH
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UNCLAS ANKARA 5214

E.O. 11652: NA
TAGS: ELAB, PINT, TU
SUBJ: TUNC TESTIFIES BEFORE MILITARY PROSECUTOR

REF: (A) 77 ANKARA 5254, (B) 77 ANKARA 5303

1. HALIL TUNC, PRESIDENT OF THE CONFEDERATION OF TURKISH TRADE UNIONS (TURK-IS), WAS SUMMONED JULY 13 BY THE MILITARY PROSECUTOR OF THE TURKISH GENERAL STAFF (TGS) TO TESTIFY CONCERNING A STATEMENT HE MADE A YEAR AGO WHICH ALLEGEDLY "WAS PROVOCATING THE ARMED FORCES". IN A POLITICAL STATEMENT IN OPPOSITION TO THE NATIONALIST FRONT GOVERNMENT, TUNC ADDED THAT, "THOSE WHO SHOULDER THE RESPONSIBILITY TO DEFEND CONSTITUTIONAL ORGANIZATIONS AND THE REPUBLIC SHOULD NOT REMAIN SILENT IN VIEW OF THE DEVELOPMENTS". IN REPLY TO PRESS QUESTIONS CONCERNING WHOM HE MEANT BY "THOSE", TUNC ANSWERED, "THE PRESS, JUDICIARY, THE ARMED FORCES, AND OTHER CONSTITUTIONAL ORGANIZATIONS". AT THE TIME THE CHIEF OF THE TGS RESPONDED SHARPLY TO TUNC'S REMARKS, WHEREUPON TUNC DENIED ANY INTENTION TO CRITICIZE THE ARMED SERVICES WHICH HE CHARACTERIZED AS THE PROTECTORS OF THE CONSTITUTION AND THE DEMOCRATIC ORDER.

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PAGE 02 ANKARA 05214 181027Z

2. NEVERTHELESS, THE TGS PROSECUTOR INITIATED AN INVESTIGATION BUT SOON SUSPENDED IT IN VIEW OF TUNC'S PARLIAMENTARY IMMUNITY AS A CONTINGENT SENATOR (IE A SENATOR APPOINTED BY THE PRESIDENT). WHEN TUNC'S TERM IN THE SENATE EXPIRED RECENTLY, THE PROSECUTOR REOPENED THE CASE AND CALLED TUNC TO TESTIFY. TUNC RESPONDED

IMMEDIATELY, AND AT THE FORMAL MEETING IN TGS HEAD-
QUARTERS HE REAFFIRMED THE STATEMENTS MADE LAST YEAR.
FOLLOWING THE MEETING TUNC TOLD THE PRESS THAT HE HAD NO
INTENTION THEN OR NOW TO PROVOCATE THE ARMED FORCES.

3. PROFESSOR OF LAW AT ANKARA UNIVERSITY EXPLAINED TO
AN EMBOFF THAT THE PURPOSE OF TGS ACTION IS TO CLEAR
AWAY UNFINISHED BUSINESS, HEAR TUNC OUT AND SO CLOSE THE
FILE ON THE MATTER. HE DID NOT THINK THAT TGS PROSECUTOR
WOULD DECIDE TO REFER THE CASE TO TRIAL.
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